

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

	----- x
In re	:
CALPINE CORPORATION, <u>et al.</u>	:
Debtors.	:
	----- x
BRENCOURT CREDIT OPPORTUNITIES	:
MASTER, LTD., BRENCOURT MULTI-	:
STRATEGY ENHANCED DEDICATED	:
FUND, LP, DILLON READ U.S. FINANCE	:
L.P., DILLON READ FINANCIAL PRODUCT	:
TRADING LTD., LINDEN CAPITAL L.P.	:
AND ORE HILL HUB FUND, LTD.,	:
	----- :
Appellants,	:
-against-	:
CALPINE CORPORATION AND ITS	:
AFFILIATED DEBTORS AND DEBTORS IN	:
POSSESSION,	:
	----- :
Appellees.	:
	----- x

**ORAL ARGUMENT REQUESTED**

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK )  
: ss.:  
COUNTY OF NEW YORK )

Mark R. Wojcik, being duly sworn, affirms and says:

1. I am over 18 years of age and am not a party to the above-captioned proceedings. I am employed by Stroock & Stroock & Lavan LLP, having offices at 180 Maiden Lane, New York, New York 10038.
2. On October 4, 2007, affiant caused to be served true and correct copies of the *Joinder of the 7.75% Convertible Noteholders to the Motion of 6% Convertible Noteholders to Withdraw Reference With Respect to Debtors' Limited Objection* (Docket No. 4), via electronic mail upon the parties listed on Service List "A."

/s/ Mark R. Wojcik  
Mark R. Wojcik

Sworn to before me this  
8<sup>th</sup> day of October, 2007

/s/ Ethel Earley  
NOTARY PUBLIC

Ethel Earley  
Notary Public, State of New York  
No. 03-4650662  
Qualified in Westchester County  
Commission Expires March 30, 2011

Service List "A"

<p>Michael Stamer, Esq.  Philip C. Dublin, Esq.  Abid Qureshi, Esq.  Lisa Beckerman, Esq.  Alexis Freeman, Esq.  <b>AKIN GUMP STRAUSS HAUER &amp; FELD LLP</b>  590 Madison Avenue  New York, NY 10022-2524  mstamer@akingump.com  pdublin@akingump.com  aquareshi@akingump.com  lbeckerman@akingump.com  afreeman@akingump.com</p> <p><i>Counsel for the Official Committee of Unsecured Creditors</i></p>	<p>Sarah L. Reid, Esq.  David E. Retter, Esq.  Damon W. Suden, Esq.  Jennifer A. Christian, Esq.  <b>KELLEY DRYE &amp; WARREN LLP</b>  101 Park Avenue  New York, NY 10178  dretter@kelleydrye.com  sreid@kelleydrye.com  dsuden@kelleydrye.com  jchristian@kelleydrye.com</p> <p><i>Counsel to HSBC Bank USA, N.A., as Indenture Trustee</i></p>
<p>Gary L. Kaplan, Esq.  Adrian Feldman, Esq.  Susanna J. Gray, Esq.  <b>FRIED, FRANK, HARRIS, SHRIVER &amp; JACOBSON LLP</b>  One New York Plaza  New York, NY 10004  gary.kaplan@friedfrank.com  feldmad@friedfrank.com  graysu@ffhsj.com</p> <p><i>Counsel for the Official Committee of Equity Security Holders</i></p>	<p>Dennis F. Dunne, Esq.  Matthew S. Barr, Esq.  Andrew M. Leblanc, Esq.  Catherine J. Yu, Esq.  <b>MILBANK TWEED HADLEY &amp; MCCLOY LLP</b>  One Chase Manhattan Plaza  New York, NY 10005  ddunne@milbank.com  mbarr@milbank.com  aleblanc@milbank.com  cyu@ @milbank.com</p> <p><i>Counsel to Certain Holders of 6% Convertible Notes</i></p>

<p>Isaac M. Pachulski, Esq.  Whitman L. Holt, Esq.  STUTMAN, TREISTER &amp; GLATT, P.C.  1901 Avenue of the Stars, 19th Floor  Los Angeles, CA 90067  ipachulski@stutman.com  wholt@stutman.com</p> <p><i>Counsel to Certain Holders of 6% Convertible Notes</i></p>	<p>Ian S. Fredericks, Esq.  YOUNG CONAWAY STARGATT &amp; TAYLOR LLP  1000 West Street, 17th Floor  Wilmington, DE 19801  ifredericks@ycst.com</p> <p><i>Counsel to Manufacturers &amp; Traders Trust Company, as Indenture Trustee</i></p>
<p>Edward Sassower, Esq.  M. Catherine Peshkin, Esq.  Marc Kieselstein, Esq.  KIRKLAND &amp; ELLIS LLP  Citigroup Center  153 East 53<sup>rd</sup> Street  New York, New York 10022-4611  esassower@kirkland.com  mkieselstein@kirkland.com  cpeshkin@kirkland.com</p> <p><i>Counsel for the Debtors</i></p>	